

STATE OF MICHIGAN
COURT OF APPEALS

UNPUBLISHED
July 24, 2012

In the Matter of CHAMBERS, Minors.

No. 307553
Berrien Circuit Court
Family Division
LC No. 2010-000112-NA

Before: SHAPIRO, P.J., and HOEKSTRA and WHITBECK, JJ.

PER CURIAM.

Respondent father appeals as of right the trial court order terminating his parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g), and (j).¹ We affirm because the trial

¹ The relevant provisions read:

(3) The court may terminate a parent's parental rights to a child if the court finds, by clear and convincing evidence, 1 or more of the following:

* * *

(c) The parent was a respondent in a proceeding brought under this chapter, 182 or more days have elapsed since the issuance of an initial dispositional order, and the court, by clear and convincing evidence, finds either of the following:

(i) The conditions that led to the adjudication continue to exist and there is no reasonable likelihood that the conditions will be rectified within a reasonable time considering the child's age.

* * *

(g) The parent, without regard to intent, fails to provide proper care or custody for the child and there is no reasonable expectation that the parent will be able to provide proper care and custody within a reasonable time considering the child's age.

court properly concluded that termination of respondent's parental rights is in the best interests of the minor children.

The principal condition that led to adjudication was respondent's ongoing domestic violence issues with the children's mother. The evidence established that during the 14 months of proceedings below, respondent had an additional incident of domestic violence with the mother and another incident of domestic violence with his then-current girlfriend. Respondent was to comply with the case service plan, which included counseling for emotional issues and anger management, drug screens, and parenting time. However, respondent made little or no progress in counseling, failed to take any drug screens beyond the initial screen, and missed many parenting sessions. Respondent does not challenge on appeal the trial court's finding that the statutory grounds for termination were established by clear and convincing evidence, but argues that the termination was not in the children's best interest.

The evidence established that termination of respondent's parental rights was in the children's best interests. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Respondent attended only approximately half of his parenting time sessions, showed inappropriate parenting skills, made inappropriate statements, and one of the children openly acted out when with respondent. Further, respondent was on methamphetamine throughout the case, engaged in two additional domestic violence incidents, and did not make progress in counseling for emotional stability or anger management. He exhibited a complete lack of progress on his case service plan. Additionally, the proceeding was lengthy, the children were still young, and they were entitled to stability and permanency. Additional, we conclude that the trial court did not err in terminating respondent's parental rights to the children.

Affirmed.

/s/ Douglas B. Shapiro
/s/ Joel P. Hoekstra
/s/ William C. Whitbeck

* * *

(j) There is a reasonable likelihood, based on the conduct or capacity of the child's parent, that the child will be harmed if he or she is returned to the home of the parent.